

VZCZCXR09517
PP RUEHMA RUEHPA
DE RUEHUJA #2019/01 3090639
ZNR UUUUU ZZH
P 050639Z NOV 09
FM AMEMBASSY ABUJA
TO RUEHC/SECSTATE WASHDC PRIORITY 7422
INFO RUEHOS/AMCONSUL LAGOS 2244
RUEHZK/ECOWAS COLLECTIVE
RHEHNSC/NSC WASHINGTON DC
RUEAIIA/CIA WASHINGTON DC
RUEKJCS/DIA WASHINGTON DC
RUZEJAA/JAC MOLESWORTH RAF MOLESWORTH UK

UNCLAS SECTION 01 OF 05 ABUJA 002019

SIPDIS

STATE FOR AF/W, INL/AAE, INL/C, INR/AA

E.O 12958 N/A

TAGS: PGOV SNAR KCRM KCOR KFIN EAID ASEC NI

SUBJECT: 2009-2010 NIGERIA INTERNATIONAL NARCOTICS CONTROL
STRATEGY REPORT (INCSR), PART I, DRUGS AND CHEMICAL CONTROL

REF: STATE 097230

II. Summary

11. (U) Nigeria remains attractive to drug traffickers. Heroin and cocaine transit Nigeria on their way to markets in Europe, and the heroin transiting Nigeria has a significant impact on the United States. During the past year, authorities have arrested increased numbers of drug couriers at Lagos International Airport, which may indicate that drug traffickers are increasingly using Nigeria's land and maritime ports of entry to transship drugs to neighboring countries for outward shipment to European and American markets. The increase in low-level drug couriers or "mules" to Europe, especially to Spain, can be attributed, in part, to the economic downturn and the desperation of individuals for quick money. The mules often ingest about a kilo of cocaine and try to smuggle it to their destination. Nigerian Drug Law Enforcement Agency (NDLEA) has intercepted drug couriers from Latin America (MMIA), particularly on flights from Brazil, at Lagos Murtala Mohammed International. NDLEA has detected many couriers through the use of modern scanning equipment donated to Nigeria by the U.S. State Department anti-drug assistance program. In particular, authorities detected the first drug courier attempting to board a Delta flight to Atlanta with the USG-donated Digital Body Scanner at the Lagos international airport. Because of this deterrence factor, DEA and NDLEA report that traffickers are circumventing the machines by travelling through the porous land borders and flying out of neighboring countries' more vulnerable airports. The USG donated drug detection kits to the NDLEA for use at all Nigerian ports of entry to enhance the drug agency's capacity to conduct interdiction activities.

12. (U) Nigerian organized criminal networks remain a major factor in moving cocaine and heroin worldwide. Many of these organizations are not based in Nigeria, but evidence exists that large quantities of cocaine and heroin transit Nigeria to markets in the West. In addition to drug trafficking, some of these organizations engage in advance-fee fraud, and other forms of fraud against U.S. citizens and businesses, including document fabrication, illegal immigration, and financial fraud. They have extensive documented ties to criminals in the United States, Europe, South America, Asia, and South Africa. Nigerian poly-crime organizations exact significant financial and societal costs, especially among West African states with limited resources for countering these organizations. Poor economic conditions for the vast majority of Nigerians, including widespread unemployment and underemployment, contribute significantly to the continuation and expansion of drug trafficking. A large number of universities closed for months due to a prolonged dispute between the federal government and professors, which resulted in more students opting to become drug couriers. Widespread corruption in Nigeria makes the traffickers' task easier. These factors, combined with Nigeria's central location, along the major trafficking routes and access to global narcotics markets, provided

both an incentive and mechanism for criminal groups to flourish, and for Nigeria to emerge as a major drug trafficking hub.

¶ 13. (U) The only drug cultivated in significant amounts domestically is Cannabis Sativa (marijuana). Nigerian-grown marijuana is the most common drug abused in the country. It is exported to neighboring West African countries through Nigeria's vast porous borders and then shipped to Europe. However, it is not shipped in significant quantities to the United States. Nigeria is a party to the 1988 UN Drug Convention.

II. Status of Country

¶ 14. (U) The National Drug Law Enforcement Agency (NDLEA) is responsible for the enforcement of laws against illicit drug trafficking and abuse. It also plays the lead role in demand reduction, drug control policy formulation and implementation in the country. Cooperation among Nigeria's law enforcement agencies is weak. For instance, although all law enforcement elements operate at Nigeria's international ports of entry, joint operations between them are virtually non-existent. Lack of inter-agency cooperation partially explains the dearth of apprehensions of major traffickers or the absence of consistent interdiction of major shipments of contraband. No single law enforcement agency in Nigeria has adequate resources to combat the increasingly sophisticated international criminal networks that operate in and through the country itself; inter-agency cooperation is necessary for success.

III. Country Actions against Drugs in 2009

ABUJA 00002019 002 OF 005

II. Summary

¶ A. Policy Initiatives:

¶ 15. (U) The National Drug Control Master Plan (NDCMP), in place since 1999 outlines Nigeria's counter-narcotics policy. This plan assigns responsibilities to various government ministries and agencies as well as NGOs and other interest groups. In addition, the Master Plan outlines basic resource requirements and timeframes for the completion of objectives. Unfortunately, many goals remain unfulfilled. In the past, the Nigerian Government has been open to criticism for not adequately budgeting for necessary drug law enforcement by NDLEA. For 2009, the budget for NDLEA is 4.62 billion naira (equivalent to \$30 million) with no amount allocated for training of NDLEA staff. Most money will go to upgrades of NDLEA infrastructures, particularly the regional training academy in Jos.

B . Law Enforcement Efforts:

¶ 16. (U) In the past year, NDLEA's most successful interdictions have taken place at Nigeria's four international airports, with the majority of hard drug seizures (e.g., cocaine and heroin) at Lagos Murtala Mohammed International Airport. In addition, authorities have apprehended increasing numbers of drug couriers at Abuja Nnamdi Azikiwe International Airport. This year, NDLEA has produced more arrests at these international airports. The Embassy sent commanders from these strategic locations to the International Law Enforcement Academy (ILEA) in Gaborone, Botswana for basic airport interdiction and drug unit commander training. The agency continues to apprehend individual drug couriers transiting these airports and the land borders, including airport employees involved in drug rings but no major drug traffickers and financiers. Digital Body scanners donated by the U.S. State Department's anti-drug assistance project play critical roles in detecting greater numbers of couriers. These "body scanners" have operated at Lagos, Kano, Port Harcourt and Abuja International Airports since about March 2008. Many observers

believe that if Nigeria introduced a vigorous anti-drug enforcement regime at its five major seaports and porous land borders, such efforts would yield significant drug seizures.

¶7. (U) As noted above, marijuana remains the main drug abused by Nigerians as it is cultivated locally. In the past year, NDLEA continued to emphasize a high-profile campaign to destroy the annual marijuana crop before it reaches domestic drug abusers. Marijuana remains the largest drug seized by the NDLEA. A total of 482.74 hectares of marijuana farmland was destroyed between April 2009 and September 2009. Between October 2008 and August 2009, the various NDLEA commands apprehended 6,186 narcotics suspects and seized 77,500.38 kg of cannabis, 220.17kg of cocaine, 24.27 kg of heroin, and 485.19 kg of psychotropic substances, of which authorities intercepted 64.7 kg of ephedrine at Murtala Mohammed International Airport in Lagos en route to South Africa. The NDLEA detected and interdicted ephedrine shipments and other precursor chemicals, including a 100 metric ton shipment of acetone from South Africa to prevent diversion. Overall, the NDLEA seized 78,230 kg of drugs.

¶8. (U) Although Nigeria's main domestic drug abuse problem remains Q8. (U) Although Nigeria's main domestic drug abuse problem remains cannabis, cocaine has now emerged as one of Nigeria's most challenging drug abuse problems. Some of the most significant seizures in the last year involved cocaine shipments from South America; some cocaine seized in Nigeria seems to have been refined in West Africa, not trafficked as cocaine from Latin America. Drug traffickers take advantage of lax enforcement in Nigeria and other countries in West Africa to "warehouse" bulk quantities of drugs, until they can be moved to developed countries by drug mules. Moreover, trafficking drugs is made easier because it is so difficult to effectively police Nigeria's extensive porous borders and cultural links among border communities.

¶9. (U) Asset seizures from narcotics traffickers and money launderers, while permitted under Nigerian law, had never been systematically utilized as an enforcement tool until this year. 17 drug related money laundering cases remain under investigation. Five properties and currency (1,147,050 USD; 3,000 British Pounds; and 6,000,000 Naira) have been temporarily forfeited to the NDLEA pending the outcome of investigations. However, NDLEA's failure to apprehend and prosecute major traffickers and their associates is

ABUJA 00002019 003 OF 005

¶II. Summary

often due to the lack of capacity of NDLEA to assemble successful cases against the higher echelons of sophisticated organized criminal gangs. At other times, the problem rests with Nigeria's courts, which struggle with intimidation and corruption.

¶C. Corruption:

¶10. (U) Corruption plays a major role in drug trafficking in Nigeria. The large proceeds from illicit drug trafficking empower criminals to use bribery to protect their operations. Nigerian authorities have indicted several individuals for corruption, including one lodged against a former Chairman and Chief Executive of the NDLEA. The trial which began in September has made steady progress under the firm courtroom management by no-nonsense judge. This trial demonstrates the current NDLEA Chairman's dogged determination to enforce the law even against those in NDLEA's own ranks. The Government of Nigeria does not, as a matter of policy, encourage or facilitate illicit drug production, nor is it involved in laundering the proceeds of illicit drugs. Nonetheless, corruption remains endemic among government officials at the federal and state levels. To ensure that drug traffickers receive and serve stiff sentences, the NDLEA requested that the National Assembly amend Nigeria's narcotics law to provide for minimum sentences of 3-years in jail with no option for paying fines. Although the amendment was initially introduced to the National Assembly in 2007, the Bill did not become law before the 2007 elections and changeover in legislators. The NDLEA will need to introduce a new bill in the current session. NDLEA will also seek a provision to allow NDLEA and

the Nigerian Immigration Service to seize offenders' passports during pre-trial and post-conviction periods to prevent them from travelling abroad.

1D. Agreements and Treaties:

¶11. (U) Nigeria is a party to the 1988 UN Drug Convention, the 1961 UN Single Convention on Narcotic Drugs, as amended by the 1972 Protocol, and the 1971 UN Convention on Psychotropic Substances. Nigeria is a party to the UN Convention against Corruption and the UN Convention against Transnational Organized Crime, and its three protocols. The 1931 U.S.-UK Extradition Treaty, made applicable to Nigeria in 1935, provides the legal basis for U.S. extradition requests. The United States and Nigeria also have a Mutual Legal Assistance Treaty (MLAT), which entered into force January 14, 2003. The GON continues to work on a mechanism to process U.S. extradition requests more expeditiously. The U.S. has two outstanding drug extradition requests, one pending since June 2004. A court addressed the two requests in May and June, but both cases continued to experience delay tactics by defense attorneys. A dedicated prosecutorial team handles all U.S. extradition cases before a designated Federal High Court judge. Nigerian law still affords the defendant many options to delay proceedings, especially with interlocutory appeals that require adjudication before cases may proceed. In the past year, NDLEA cooperated with international drug enforcement efforts and conducted a joint operation with Interpol and the Belgium Police, leading to the arrest of a drug courier and seizures of 5.5 kilograms of cocaine, 74, 800 dollars in currency, three vehicles and land deeds.

1E. Cultivation/Production:

¶12. (U) Cannabis is the only illicit drug produced in any significant quantity in Nigeria; it is cultivated in all of Nigeria's 36 states. Major cultivation takes place in central and northern Nigeria and in Delta and Ondo states in the south. Marijuana, or "Indian Hemp" as it is known locally, is sold in Nigeria and exported throughout West Africa and into Europe. To date, there is no evidence of significant marijuana exports from Nigeria to the United States. The NDLEA has continued to pursue an aggressive and successful eradication campaign.

1F. Drug Flow/Transit:

¶13. (U) Nigeria is a major staging point for Southeast and Southwest

ABUJA 00002019 004 OF 005

II. Summary

Asian heroin smuggled to Europe and the United States and for South American cocaine trafficked to Europe. Cocaine smuggling through Nigeria increased during the last year. While Nigeria remains Africa's drug transit hub, there are indications that the preferred methods of trans-shipment have changed. The NDLEA unit, at Lagos Murtala Mohammed International Airport, searches select passengers and carry-on baggage, preferring to focus on travelers, who fit profiles as possible drug couriers. USG donation of Digital Body Scanners has bolstered NDLEA efforts. The scanners ensured that drug couriers face greater likelihood of detection at the international airports. In the past year, U.S. and U.K. officials trained NDLEA officers to improve their skills in intelligence gathering and profiling of potential drug couriers under an airport interdiction program. This training paid immediate dividends with large cargo seizures in the past year. Many traffickers became more aware of the presence of scanners and began to conceal drugs in cargo shipments of goods, such as light fixtures, confectionary commercial products, and food packages. The scanners enabled Nigerian law enforcement to perform quick, non-invasive searches of suspected drug traffickers to locate illegal drugs. The U.S. also purchased three additional scanners and four new drug/explosives-detecting

"Itemizers" for Nigeria's international airports in Abuja, Kano, Lagos, and Port Harcourt. The procured equipment allowed Nigerian law enforcement personnel to improve identification and detection capabilities, especially as it regards drug couriers transiting Nigeria's airports. Nigeria's sea ports and land borders remain vulnerable and efforts should be made to increase interdiction efforts at these locations.

IG. Domestic Programs/Demand Reduction:

I14. (U) Local production and use of marijuana have affected Nigeria for some time. According to the NDLEA and NGOs, however, abuse of harder drugs (such as cocaine and heroin) seems on the rise as both types of drugs remain readily available in many larger cities. The NDLEA Demand Reduction Directorate reinvigorated its school oriented programs within the past year focusing on creating awareness of the dangers of drug abuse and trafficking. Other demand reduction programs targeted various groups, including youths, drivers, commercial sex workers, community leaders, and transport workers, and staff at various organizations. The U.N. Office of Drugs and Crime (UNODC) and NDLEA celebrated the International Day against Drug Abuse and Illicit Drug Trafficking on June 26, by vigorously pursuing demand reduction programs at the tertiary, adult, and non-formal education sectors. The NDLEA invigorated its counseling, treatment, and rehabilitation drive, counseling, and rehabilitating 1,257 drug dependent persons in the past year. Private treatment centers handled more severe cases of dependency. NDLEA focused on collecting drug data and researching methods to develop effective drug control strategies by conducting a public survey to collect and analyze drug abuse data. The study indicated that younger unmarried males topped the list of drug abusers and that cannabis remained the Qmales topped the list of drug abusers and that cannabis remained the most abused drug.

IV. U.S. Policy Initiatives and Programs

IA. Policy Initiatives:

I15. (U) U.S.-Nigerian counter-narcotics cooperation focused on interdiction at major international entry points and professionalizing the NDLEA and other law enforcement agencies. The State Department Bureau for International Narcotics and Law Enforcement Affairs (INL) Office in Nigeria and the Drug Enforcement Agency (DEA) worked closely with the NDLEA and other narcotics-related agencies to train Nigerian law enforcement to coordinate, plan, and implement internal and regional interdiction operations. NDLEA officers received training at the regional, INL-funded International Law Enforcement Academy (ILEA) on border interdiction. At all levels, USG representatives enjoyed excellent access to their counterparts, with both sides wanting to strengthen relationships.

IB. The Road Ahead:

ABUJA 00002019 005 OF 005

II. Summary

I16. (U) Federal funding for Nigerian law enforcement agencies remained insufficient and erratic hindering planning by these agencies and demonstrating little commitment by authorities to law enforcement. Unless the GON increases funding, little progress will occur particularly over the long term. The GON will require sustained political will and continued international assistance to confront drug trafficking and to enhance broader law enforcement capacity.

I17. (U) USG counternarcotics assistance to Nigeria since February 2001 now totals over 3 million dollars. Despite some successes, the

Nigerian National Police Force (NPF) lacks public trust and confidence, with organized crime groups continuing to prey on citizens. INL's office in Nigeria continued to facilitate interaction between the Nigeria Customs Service (NCS) and the NDLEA to improve interdiction at the vulnerable seaports and land borders. Even with support from international donors, NDLEA officers received relatively little training due to insufficient budgets. NDLEA, however, sought to focus significant funding to re-establish its training center in Jos. Once the academy is fully operational, NDLEA will require all officers to undergo re-training at the basic level and mid-level before qualifying for promotion under a new promotion system.

¶18. (U) The U.S. government will continue to engage Nigeria on counternarcotics, money laundering and other transnational crimes focusing on selected institutions, such as the NDLEA and NCS, which have skilled, professional leaders. The underlying institutional and societal factors that contribute to narcotics-trafficking, money-laundering, and other crimes in Nigeria remain deep-seated, requiring comprehensive, collaborative efforts by all levels of law enforcement and government. Progress can only occur through Nigeria's own sustained effort and political will, with continued support from the international community.

SANDERS